

The Hon. Ricardo S. Martinez

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

ALLEN J. CHIU,

Defendant.

NO. CR12-0070RSM

FINAL ORDER OF FORFEITURE

THIS MATTER comes before the Court on motion of the United States for entry of a Final Order of Forfeiture with respect to the following property:

1. \$326,435.00, more or less, in U.S. funds, seized from Vanguard Brokerage Services Account Number XXXX2514, held in the name of Allen J. Chiu.

On August 10, 2012, this Court entered a Preliminary Order of Forfeiture in the above-captioned case forfeiting Defendant Allen Chiu's interest in \$306,277.76, more or less, in U.S. funds, seized from Vanguard Brokerage Services Account Number XXXX5899, held in the name of Allen J. Chiu. *See* Docket No. 31. However, in the Preliminary Order of Forfeiture, the amount of funds and the bank account number were incorrectly identified.

On August 15, 2012, the Court entered an Amended Preliminary Order of Forfeiture as to Certain Property Seized from Allen Chiu to correct the property description. *See* Docket No. 35.

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2 The property is subject to forfeiture pursuant to Title 18, United States Code,
3 Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), because said
4 property constitutes or is derived from proceeds traceable to Wire Fraud, as charged in
5 Count 1 of the Information, in violation of Title 18, United States Code, Section 1343, to
6 which Allen Chiu pleaded guilty. In his plea agreement, the defendant agreed to the
7 forfeiture of the above-listed property.

8 Pursuant to Title 21, United States Code, Section 853(n), the United States
9 published notice on www.forfeiture.gov, for at least thirty (30) consecutive days,
10 beginning with September 22, 2012. In the publication, the United States published
11 notice of the Preliminary Order of Forfeiture and the intent of the United States to dispose
12 of the property in accordance with law. This notice further stated that any person, other
13 than the defendant, having or claiming a legal interest in the above-described property
14 was required to file a petition with the Court within sixty (60) days of the first date of
15 publication of notice, setting forth the nature of the petitioner's right, title, and interest in
16 the property.

17 All persons and entities believed to have an interest in the property subject to
18 forfeiture were given proper notice of the intended forfeiture. No petitioners or claimants
19 have come forth to assert an interest in the forfeited property and the time for doing so
20 has expired. Accordingly,

21 IT IS ORDERED, ADJUDGED and DECREED that the following property is
22 hereby fully and finally condemned and forfeited to the United States in its entirety:

- 23 1. \$326,435.00, more or less, in U.S. funds, seized from Vanguard
24 Brokerage Services Account Number XXXX2514, held in the name
of Allen J. Chiu.

25 IT IS FURTHER ORDERED, ADJUDGED and DECREED that no right, title, or
26 interest to the above-described property shall exist in any other party.

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1 The United States Marshals Service is authorized to dispose of the above-
2 described property in accordance with law.

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4 DATED this 19 day of December 2012.

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7 RICARDO S. MARTINEZ
8 UNITED STATES DISTRICT JUDGE
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10 Presented by:

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